

**From:** [Martinsen, Jessica](#)  
**To:** [Thomas.Smith@dot.gov](#); [Garvin, Shawn](#); [Pomponio, John](#); [Ferrell, Mark](#); [Lapp, Jeffrey](#); [Rudnick, Barbara](#)  
**Cc:** [Ginger.Mullins@usace.army.mil](#); [Gloria.Shepherd@dot.gov](#); [Steven.t.mcgugan@usace.army.mil](#); [fred.wagner@dot.gov](#); [Jason.Workman@dot.gov](#)  
**Subject:** RE: Buffalo Mtn.-King Coal Alternatives Development Mtg.  
**Date:** Thursday, March 21, 2013 1:01:24 PM

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All,

Due to a variety of reasons, EPA and its representatives will participate and attend via the video conferencing system. However, we will also need a telephone system in the room and a teleconference line. I will be glad to set the conference line up if needed. I reached out to Jason already and will follow up with him again today.

Thank you,  
Jessica

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Jessica Martinsen  
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Office of Environmental Programs  
U.S. EPA  
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**From:** [Thomas.Smith@dot.gov](mailto:Thomas.Smith@dot.gov) [mailto:[Thomas.Smith@dot.gov](mailto:Thomas.Smith@dot.gov)]  
**Sent:** Thursday, March 21, 2013 12:39 PM  
**To:** [Garvin, Shawn](#); [Pomponio, John](#); [Ferrell, Mark](#); [Lapp, Jeffrey](#); [Martinsen, Jessica](#)  
**Cc:** [Ginger.Mullins@usace.army.mil](#); [Gloria.Shepherd@dot.gov](#); [Steven.t.mcgugan@usace.army.mil](#); [fred.wagner@dot.gov](#); [Jason.Workman@dot.gov](#)  
**Subject:** RE: Buffalo Mtn.-King Coal Alternatives Development Mtg.

To All,

Here is our proposed agenda for tomorrow's meeting. It largely contains the elements that Mr. Garvin included in his attachment to his February 7<sup>th</sup> email below. Please let us know if you have suggestions for the agenda.

We developed the order of the updates anticipating that most of the meeting will be spent discussing the RAM 145 concept.

Also attending, in addition to the Federal agencies, will be representatives from the WVDOT, WVDEP and CONSOL.

We have confirmed attendance from FHWA, USACE, WVDOT, WVDEP and CONSOL. Please let us know at your earliest convenience what your plans are for attendance. We have arranged adequate space for persons directly attending, or for others to attend remotely through either web-conferencing or video-conferencing.

However, in order to complete these arrangements, we need to hear from you very soon.

Jason Workman of my staff (304-347-5271) is taking care of these arrangements if you have questions.

Thanks

Tom Smith

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**From:** Smith, Thomas (FHWA)

**Sent:** Thursday, February 07, 2013 2:29 PM

**To:** 'Garvin.Shawn@epamail.epa.gov'; 'Steven.t.mcgugan@usace.army.mil'; Shepherd, Gloria (FHWA)

**Cc:** 'Ginger.Mullins@usace.army.mil'; 'Pomponio.John@epamail.epa.gov';

'Lapp.Jeffrey@epamail.epa.gov'; 'Ferrell.Mark@epamail.epa.gov'

**Subject:** RE: Buffalo Mtn.-King Coal Alternatives Development Mtg.

This will be Jason Workman for the WV Division of FHWA. He has a room in Charleston reserved and waiting responses to have such a meeting on Feb 14th. He has already received positive responses from all involved parties except EPA stating that they are available.

We understand that there may be a need to also include WVDEP because of their regulatory role in the development of the project.

Thanks

Tom Smith

Sent with Good ([www.good.com](http://www.good.com))

-----Original Message-----

**From:** [Garvin.Shawn@epamail.epa.gov](mailto:Garvin.Shawn@epamail.epa.gov) [[Garvin.Shawn@epamail.epa.gov](mailto:Garvin.Shawn@epamail.epa.gov)]

**Sent:** Thursday, February 07, 2013 02:05 PM Eastern Standard Time

**To:** [Steven.t.mcgugan@usace.army.mil](mailto:Steven.t.mcgugan@usace.army.mil); Shepherd, Gloria (FHWA)

**Cc:** [Ginger.Mullins@usace.army.mil](mailto:Ginger.Mullins@usace.army.mil); Smith, Thomas (FHWA);

[Pomponio.John@epamail.epa.gov](mailto:Pomponio.John@epamail.epa.gov); [Lapp.Jeffrey@epamail.epa.gov](mailto:Lapp.Jeffrey@epamail.epa.gov);

[Ferrell.Mark@epamail.epa.gov](mailto:Ferrell.Mark@epamail.epa.gov)

**Subject:** Buffalo Mtn.-King Coal Alternatives Development Mtg.

EPA recently received an evaluation of what may be practicable and less damaging alternatives to the currently proposed mine and highway designs for the Buffalo Mountain Surface Mine - King Coal Highway. EPA made a preliminary presentation of this information to the COE and FHWA in December 2012. After reviewing the presentation, all parties felt that it would be beneficial to have a follow-up technical meeting to better understand the alternatives analysis.

In addition, in January 2012, I had the pleasure of meeting Col. McGugan in

Pittsburgh where we briefly discussed EPA's conceptual alternatives and the need for our technical staffs to meet further on this issue

I am writing today to propose that a meeting between the COE, FHWA, EPA, Consul and WVDOH be held in the next several weeks. As I discussed with Col. McGugan, this should be a working meeting, with the appropriate technical staff (we do not need to personally meet at this stage) and an agenda that assures adequate presentation and consideration of design details and alternatives.

The outcome of the meeting can be shared with broader stakeholders, but we believe that the review of the alternative at this time should be centered on the agencies and applicant who are involved with the development of the Supplemental Environmental Impact Statement. We all want to help assure that the environmental study and assessment of alternatives are well-considered. To help facilitate a productive and efficient meeting, attached, please find a proposed draft agenda that outlines issues to be addressed at the meeting.

I would appreciate if you could identify a contact with whom my staff can coordinate to plan the meeting. Please feel free to contact me if you have any questions or wish to discuss this issue further.

Thank you – Shawn

Shawn M. Garvin  
Regional Administrator  
EPA Region III